

## STAFF REPORT

**Report Date: 10/29/2020**

"A" category = staff recommendation is for approval with no equal alternatives because of noncompliance is not adverse.

"B" category = staff recommendation is for approval with equal alternatives as stated by the proponent.

"C" category = reserved, meaning staff believes Commission needs to discuss entirety.

"D" category = recommendation is for denial.

"I" category = incomplete (with permission of the Chairman).

"NVR" category = no variance required.

"T" category = tabled.

NOTE: All staff recommendations presume code statements on the variances by the applicant are correct, unless otherwise noted. This means that all code statements become conditions of the variances and, if not true, the variances would be subject to Commission sanction. All LBO and LFO responses that they have received a copy of the application for variance are in order, unless otherwise noted.

### Tabled Variances

**20-03-03**

C

**Project:**

**G.C.C,Fishers**

20103

The code permits Groups A, B, E, I-2, M, R-1 or R-2, to be equipped with an approved entrance and egress access control system as long as the system activates the building fire alarm system, if provided, and automatically unlock the doors. The doors are to remain unlocked until the fire alarm system has been reset. In addition, there are other conditions that must be met. The request is to allow the locking system to not be tied into the fire alarm system. Proponent states the building owner will not allow the device to be tied into the fire alarm system. Per the proponent, the locking device complies with all the other criteria. The local LBO and LFO is not oppose of the variance.

\*\*\*\*\*PAPER FILING

\*\*\*\*\*NOT REFERRED TO FPBSC BY IDHS FOR DETERMINATION

20-07-24

**Project:0 Knapp Supply Company,Muncie**

C 20376

TABLED BY PROPONENT 10/06/2020.  
TABLED BY PROPONENT 09/01/2020.  
TABLED BY COMMISSION 08/04/2020.

The code requires buildings and structures, and any part of the fire or explosion suppression systems, and all parts thereof, constructed, installed, or altered prior to the adoption of applicable rules by the commission or its predecessor agencies, to be maintained in a condition at least as safe and sanitary as they were when constructed, installed, or altered. The request is to allow the existing sprinkler system to not be maintained. Proponent states the existing sprinkler system was not maintained by the previous owner. Per the proponent, it would cost too much to maintain the sprinkler system. The building is used for storage under 12 feet in height, class I-V Commodity and some PVC pipes stored to no higher than 6 feet.

\*\*\*\*\*Fire official opposes the variance.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the August 4, 2020 meeting.

C (b) The code prohibits buildings and structures from exceeding the allowable height and area based on the occupancy classification and construction type. The request is to permit the existing building's allowable area and height to be exceeded based on the construction type. Proponent states, a partial sprinkler system froze. Per the proponent, the building will be upgraded to include smoke/heat detection throughout, manual fire alarm boxes, alarm notification, storage will be limited to 12 feet in height, and a door will be added to the north side of the building to reduce travel distance to 100 feet.

20-09-38

**Project:0 185 Madison Ave,Peru**

C 20338

TABLED BY COMMISSION 10/06/2020.

The code prohibits removal or modification done to any fire protection system installed or maintained in accordance with the Commission rules unless the servicing fire department is notified prior to receiving approval from the building official. The request is to allow the sprinkler system to be permanently shut off and disconnected from the local water company and removed from building.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the October 6, 2020 meeting.

20-09-48

**Project:0 The Barn at Sioux-Monti,Idaville**

C 20505

TABLED BY PROPONENT 10/06/2020.

a. The code states the provisions of this chapter shall control the change of occupancy of existing buildings and structures. This chapter shall not be used to convert structures of other than Class 1 to Occupancy Groups A or E. The request is to allow an existing agriculture building to a Class 1 with an A-2 occupancy. The proponent states that structural evaluation has been conducted to confirm the existing structure's capability to support all load requirements per IBC.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the October 6, 2020 meeting.

C TABLED BY PROPONENT 10/06/2020.

b. The code states plumbing fixtures shall be provided for the type of occupancy and in the minimum number shown in Table 2902.1. The request is to temporarily use portable restrooms to comply with the fixture count requirements. The proponent states provisions for accessibility will be included with the portable restrooms. Permanent restroom facilities will be added within 1 year for approval through November 2021.

20-10-33

**Project:400415                      Brown County Music Center, formerly known as Maple Leaf Performing Arts Center,NASHVILLE**

C                      20372

Dispersion of wheelchair seating spaces.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the November 4, 2020 meeting.

20-10-34

**Project:407717                      Kinser Flats Apartments,BLOOMINGTON**

C                      20530

The code permits the ceiling membrane of 1- and 2-hour fire rated horizontal assemblies to be interrupted with the double wood top plate of a fire-resistance-rated wall assembly as long as all penetrating items through the double top plates are protected. The request is to allow the interior partitions at the wet walls of the shower and tub enclosures are not sheathed with drywall between the fiberglass surround and the stud wall.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the November 4, 2020 meeting.

C                      b. The double top plate of 1-hour rated partitions with double stud construction interrupts the fire-rated ceiling membrane of a 1-hour floor-ceiling assembly. A max 1-5/8 inch gap between top plates of the double stud walls is filled with 3 inches of compressed mineral wool insulation.

20-10-35

**Project:416660                      Overstock Central LLC,MISHAWAKA**

C                      20539

The code requires Group H-2 and H-3 occupancies to be set back not less than 50 feet where a detached building is required. The request is to allow a 10,240 sq. ft. sprinklered warehouse addition used for the storage of consumer fireworks, 1.4G to be set back less than 50 feet. The warehouse is separated from the existing building used for retail sales of fireworks with a 3-hour fire wall. East and South walls with a separation distance less than 50 feet will be 2-hour rated. Sprinkler curtain will be provided where unprotected openings occur in the South wall. Smoke detectors will be provided in the warehouse.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the November 4, 2020 meeting.

20-10-36

**Project:411835                    VICTOR POLEN,Celestine**

C

20550

The code requires that at least an NFPA 13R system to be provided throughout all buildings with a Group R fire area. The request is to allow six cabins to not to be provided with a sprinkler system.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the November 4, 2020 meeting.

20-10-37

**Project:0                                Common Grounds,Hartford City**

C

20553

The code prohibits building or structure from changing its use unless the building or structure complies with, or is made to comply with the current rules of the Commission for new construction for the proposed revised use of the building or a Chapter 34 of the Indiana Building Code. The request is to allow an existing B/M occupancy on the 1st floor tenant space to be converted to an A-2 occupancy (coffee shop) without being made to comply with current code or Chapter 34. Proponent states the tenant space has two (2) remote exits directly to the exterior. Egress travel distance from the 1st floor is a maximum of 54 feet. Code permits up to 200 feet. The coffee shop is moving from an adjacent non-sprinklered building downtown. The cost to sprinkler the building is approximately \$100,000.00, including the underground work. The hardship in this economically depressed area is the project did not require much renovation and the cost of the sprinkler system makes occupancy not feasible.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the November 4, 2020 meeting.

20-10-38

**Project:415937                        Borto Building Renovation,MERRILLVILLE**

C

20555

The code states concealed spaces formed by ceilings attached directly to or within 6 in. (152 mm) of wood joist or similar solid member construction shall not require sprinkler protection. The request is to not sprinkler above the ceiling.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the November 4, 2020 meeting.

**20-10-39**

C

**Project:410162**

**Samira Apartments,BLOOMINGTON**

20558

The code states horizontal exit shall not serve as the only exit from a portion of a building, and where two or more exits are required, not more than one-half of the total number of exits or total exit width shall be horizontal exits. The request is for a horizontal exit to serve as the only exit for 4 apartments on the 2nd floor of an existing building. The proponent states that each of the apartments will be provided with a window fire escape ladder with new emergency escape windows.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the November 4, 2020 meeting.

**20-10-40**

C

**Project:0**

**Carroll County Sheriff's Office and Jail,Delphi**

20560

The code requires jails to have a smoke control system to provide a tenable environment for the relocation of occupants. The request is to eliminate the requirements of Section 909 requirements and use NFPA 101 2018 Edition, Section 22.4.4.12.2 by providing option 2 being 6 air changes per hour.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the November 4, 2020 meeting.

20-10-41

**Project:0 SPICELAND EVENT CENTER,SPICELAND**

C

20567

a. The code requires plumbing facilities to be provided. The request is to permit portable toilets to be used for a period of two (2) years. Similar variances have been granted for multiple barn event centers in the past.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the November 4, 2020 meeting.

C

b. A Chapter 34 analysis will be used to convert of an Agricultural Building to Class 1 Structure classified as A-2 occupancy. The building is 2 stories above grade, with 4,300 total square feet, Type III-B Construction. The proponent states a structural evaluation has been conducted to confirm the existing structure's capability to support live load requirements per 2014 InBC Ch 16.

20-10-42

**Project:0 Bottleworks Garage 2 and 3 Food Hall Tenants,Indianapolis**

C

20568

The code requires walls and partitions within 2 feet of service sinks, urinals, and water closets to have a smooth, hard, nonabsorbent surface, to a height of not less than 4 feet above the floor. The request is to allow brick walls to be located behind sinks and other applicable plumbing fixtures within the Food Hall tenant spaces. A sealer will be applied to the brick walls to a height of 8 feet above the floor. Proponent states the surface of the walls will be of sufficient smoothness and non-absorbability to permit efficient cleaning, as necessary.

Based on code section listed this might be an issue for the Indiana State Health Department.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the November 4, 2020 meeting.

20-10-43

**Project:0 Ellie's Loft,Nashville**

C 20573

The code states an automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area. The request is to permit a portion of the 2nd floor of the existing building to be converted into an overnight rental and a 118 square foot laundry/storage room addition to the building without requiring an automatic sprinkler system to be installed throughout the existing 2-story building. The proponent states the new laundry/storage room addition will be separated from the rest of the building by 2-hour construction.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the November 4, 2020 meeting.

20-10-44

**Project:417089 Lawrence North HS Additions and Renovation,INDIANAPOLIS**

C 20577

The code states that required means of egress shall be maintained during construction and demolition, remodeling or alterations and additions to any building. The request is have means of egress temporarily close during remodel from fall 2020 to fall 2023.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the November 4, 2020 meeting.

20-10-45

**Project:416042 Lawrence Central HS Additions & Renovations,LAWRENCE**

C 20578

The code states required means of egress shall be maintained during construction and demolition, remodeling or alterations and additions to any building. The request is to allow temporary means of egress provisions will be provided as indicated on the drawings. The proponent states egress signage will be revised to indicate the revised egress paths.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the November 4, 2020 meeting.



20-10-46

C

**Project:0**

**Hoosier Hardwood Floors,Goshen**

20580

The code requires the height of door openings to not be less than 80 inches. The request is to allow the doors on the new 2nd floor area to have an opening height of approximately 71 inches. Proponent states, this is a partial 2nd story addition put inside an existing building which will contain additional showroom area and offices. Having the door height complying to code would affect the first floor's ceiling heights. Per the proponent, signs will be placed on the doors to warn occupants of the low clearance.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the November 4, 2020 meeting.